

Plaintiffs' Exhibit 98

(Redacted)

In the Matter Of:

United States vs

Google

KENNETH MARCO HARDIE

November 14, 2023



Page 62

[REDACTED]

Page 63

[REDACTED]

Page 64

[REDACTED]

Page 65

[REDACTED]

Page 66

[REDACTED]

2 MS. CLEMONS: Okay. We've been
3 going about an hour, I don't know if you want to
4 take a break? I'm happy to keep going.
5 MR. RYBNICEK: Do you?
6 **THE WITNESS: Yeah.**
7 THE VIDEOGRAPHER: Off the record.
8 The time is 3:08.
9 (Recess.)
10 THE VIDEOGRAPHER: On the record.
11 The time is 3:24.
12 BY MS. CLEMONS:
13 Q. All right. We are back from break.
14 Mr. Hardie, did you have any
15 discussions with your counsel while we were on
16 break?
17 **A. Yes.**
18 Q. And did you discuss the -- the
19 substance of your testimony or any of the
20 testimony that you've given so far today?
21 **A. Broadly.**
22 Q. Okay. What did you discuss with

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[REDACTED]

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1 your counsel during the break about the
2 testimony that you've given, broadly?
3 **A. Doing a good job.**
4 MR. RYBNICEK: Objection,
5 objection, ask you -- instruct you not to answer
6 to the extent it would reveal communications
7 with attorneys, your attorneys.
8 BY MS. CLEMONS:
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
17 Q. Okay. Okay.
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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[REDACTED]

Page 78

[REDACTED]

Page 79

[REDACTED]

Page 80

[REDACTED]

Page 81

[REDACTED]

Page 82

[REDACTED]

Page 83

[REDACTED]

Page 84

[REDACTED]

Page 85

[REDACTED]

Page 110

[REDACTED]

20 MS. CLEMONS: Okay. Do -- all
21 right. I think we're going to take a short
22 break, and then we'll come back on the record

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[REDACTED]

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1 and finish up.
2 THE VIDEOGRAPHER: Off the record.
3 The time is 4:13.
4 (Recess.)
5 THE VIDEOGRAPHER: On the record.
6 The time is 4:25.
7 BY MS. CLEMONS:

[REDACTED]

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[REDACTED]

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[REDACTED]

Page 115

[REDACTED]

Page 116

[REDACTED]

Page 117

[REDACTED]

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1 MR. RYBNICEK: Thank you.

2 **THE WITNESS: Thank you.**

3 THE VIDEOGRAPHER: This concludes

4 today's deposition.

5 We are off the record at 4:42.

6 (Signature having not been waived,

7 the deposition of KENNETH MARCO HARDIE was

8 concluded at 4:42 p.m.)

9 ACKNOWLEDGMENT OF DEPONENT

10 I, KENNETH MARCO HARDIE, do hereby

11 acknowledge that I have read and examined the

12 foregoing testimony, and the same is a true,

13 correct and complete transcription of the

14 testimony given by me and any corrections appear

15 on the attached Errata sheet signed by me.

16

17 _____

18 (DATE) (SIGNATURE)

19

20

21

22

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1 CERTIFICATE OF SHORTHAND REPORTER

2 I, Cassandra E. Ellis, Registered

3 Professional Reporter, the officer before whom

4 the foregoing proceedings were taken, do hereby

5 certify that the foregoing transcript is a true

6 and correct record of the proceedings; that said

7 proceedings were taken by me stenographically

8 and thereafter reduced to typewriting under my

9 supervision; and that I am neither counsel for,

10 related to, nor employed by any of the parties

11 to this case and have no interest, financial or

12 otherwise, in its outcome.

13 IN WITNESS WHEREOF, I have hereunto

14 set my hand this 15th day of November 2023.

15

16 *Cassandra E. Ellis*

17 _____

18

19 CASSANDRA E. ELLIS, CSR-CA #14448, CCR-WA #3484,

20 CSR-HI #475, RPR, RMR, RDR,

21 CRR, REALTIME SYSTEMS

22 ADMINISTRATOR #823848

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1 E R R A T A S H E E T

2 IN RE: UNITED STATES OF AMERICA, v. GOOGLE,

3 LLC

4 RETURN BY: _____

5 PAGE	6 LINE	7 CORRECTION AND REASON
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(DATE) (SIGNATURE)

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1 E R R A T A S H E E T C O N T I N U E D

2 IN RE: UNITED STATES OF AMERICA, v. GOOGLE,

3 LLC

4 RETURN BY: _____

5 PAGE	6 LINE	7 CORRECTION AND REASON
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(DATE) (SIGNATURE)

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ERRATA SHEET FOR THE TRANSCRIPT OF M. HARDIE

Case Name: *United States et al. v. Google LLC*, No. 1:23-cv-00108-LMB-JFA (E.D. Va.)

Dep. Date: November 14, 2023

Deponent: K. Marco Hardie

Page	Line	Correction	Reason for Correction
16	7	The phrase “other similar” should read “other civil”	Transcription error
18	7	[REDACTED]	Transcription error
21	16-17	[REDACTED]	Transcription error
33	18	[REDACTED]	Transcription error
40	14	[REDACTED]	Transcription error
41	21	[REDACTED]	Transcription error
48	10	[REDACTED]	Transcription error
54-55	22-1	[REDACTED]	Transcription error
55	16-17	[REDACTED]	Transcription error
68	20-21	[REDACTED]	Transcription error
68	22	[REDACTED]	Transcription error
71	7	[REDACTED]	Transcription error
71	7-8	[REDACTED]	Transcription error
71	8	[REDACTED]	Transcription error
71	11	[REDACTED]	Transcription error

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81	12	[REDACTED]	Transcription error
84	3	[REDACTED]	Transcription error
88	10	[REDACTED]	Transcription error
107	10-11	[REDACTED]	Transcription error
116	3	[REDACTED]	Transcription error

I have inspected and read my deposition and have listed all changes and corrections above, along with my reasons therefore.

Date: January 3, 2024

Signature: /s/ K. Marco Hardie